

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION**

CYNTHIA K. HAYNES,)
)
Plaintiff,)
)
v.) Cause No. 1:21-CV-00160-ACL
)
JENNIFER WILLIAMS, et al.)
)
Defendants.)

**PLAINTIFF'S OPPOSITION TO DEFENDANT CHARLES HAYNES' SECOND
MOTION FOR ADDITIONAL TIME TO RESPOND TO THE AMENDED
COMPLAINT**

COMES NOW Plaintiff Cynthia K. Haynes and through undersigned counsel
opposes Defendant Charles Haynes Motion for Additional Time to file responsive
pleading for the following reasons:

1. All other parties must file responsive pleadings to motions, to the Amended
Complaint and to other matters filed with this Court by Plaintiff in a timely manner.
When other parties have requested additional time to respond to a pleading, it has been
for short periods of time.

2. Counsel for Defendant Charles Haynes states that she last visited him on
February 3, 2022 and has not revisited him since to review drafts of the pleadings. That
is over four (4) months ago. Her office is in Farmington, Missouri. He is incarcerated in
Farmington, Missouri. Even if it takes a week for his counsel to arrange a visit with
Defendant Charles Haynes, over four (4) months without a follow up visit is excessive.

3. Counsel for Defendant Charles Haynes now requests up through August 29, 2022 in order to file responsive pleadings. That is approximately two (2) months from the date of her Motion.

4. Defendant Charles Haynes has not had any difficulty in finding counsel who can respond to various pleadings in other litigation. For example, in the case of Melissa Hogg vs. Charles Haynes which was initially filed in Ripley County (18RI-CV00649) on December 13, 2018, he has had two attorneys represent him. The first, Ted Liszewski entered his appearance on January 2, 2019 but was shortly thereafter replaced by Ramona Gau. She has been his attorney since January 24, 2020. She is not court appointed.

5. Venue in that case initially filed in Ripley County was changed on February 9, 2022. It was moved to St. Francois County (22SF-CC00023). Within a few days after it was transferred Ramona Gau requested a change of judge. She has responded to a Motion to Amend the Petition. She has responded to a Motion for Summary Judgment. She has not had to request additional delays beyond that.

6. Defendant Charles Haynes has had numerous attorneys representing him in multiple other litigation. See a list of attorneys who have represented Defendant Charles Haynes in other matters and the dates of their representation attached as Exhibit 1. In his divorce, Defendant Charles Haynes has been represented at different occasions by different attorneys. Most recently he has been represented by William Halaz of Cordell & Cordell. See copies of some billings to Defendant Charles Haynes attached as Exhibit 2.

7. Although the trial of that divorce occurred in Ripley County, Defendant Charles Haynes was able to attend the trial over a several day period in mid-February 2022 and apparently communicate with his attorney. His attorneys have been able to file numerous pleadings in that divorce contesting numerous property issues as well as visitation with his daughter even though under the statutes of Missouri his is not entitled to any visitation because of his guilty plea, for statutory sodomy (see docket entries in Cause No. 13RI-CV00554 on CaseNet to understand the scope of pleadings filed on his behalf). Since December 2018, Defendant Charles Haynes has been incarcerated and Mr. Halaz has had to communicate with him while he has been in prison. That has not prevented Mr. Halaz from representing him. See Docket Entries through CaseNet in that divorce case.

8. When it has been convenient for Defendant Charles Haynes he has been able to retain counsel, communicated with counsel and been vigorously represented. He has spent a large amount of money defending his divorce as evidenced by the amount of pleadings that have occurred and the time that would have occurred in order to render the legal services evidenced by those pleadings. There should be no reason for further delay of Defendant Charles Haynes filing responses in this case.

9. The current litigation should proceed to a Rule 16 conference and should proceed with minimal disruption in scheduling thereafter. Further extension of time by which to file a responsive pleading is simply not warranted.

WHEREFORE, Plaintiff prays that this Honorable Court deny Defendant Charles

Haynes' Motion for additional time to respond to the Amended Complaint beyond one week and grant such other and further relief as the Court deems just under the circumstances herein.

Respectfully submitted,

/s/ Laurence D. Mass

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Attorneys for Cynthia K. Haynes

CERTIFICATE OF SERVICE

It is hereby certified that on this 6th day of July 2022, a copy of the foregoing was filed electronically with the Clerk of the Court to be served to all counsel by operation of the Court's electronic filing system.

/s/ Laurence D. Mass